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8 **UNITED STATES DISTRICT COURT**
9 **SOUTHERN DISTRICT OF CALIFORNIA**
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11 RODOLFO HERRERA-MENA,
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14 MICHAEL CHERTOFF, et al.,
15 Respondents.

Petitioner,
v.
Respondents.

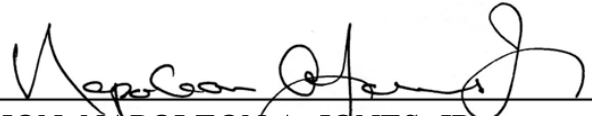
Civil No. 08cv0481-J (LSP)

**ORDER DENYING IN FORMA
PAUPERIS APPLICATION AS MOOT**

16 Petitioner, a Department of Homeland Security detainee proceeding pro se, has paid the
17 \$5.00 filing fee and has filed a Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241.
18 Petitioner has attached a request to proceed in forma pauperis to the Petition. The Court
19 **DENIES** the request to proceed in forma pauperis as moot because Petitioner has paid the filing
20 fee. The Court will consider the financial information provided in support of the motion to
21 proceed in forma pauperis when ruling on the motion for appointment of counsel.

22 **IT IS SO ORDERED.**
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24 DATED: May 9, 2008

25 
26 HON. NAPOLEON A. JONES, JR.
United States District Judge

27 cc: All Parties
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